

REMARKS

Claims 4-6 are amended and claims 1-10 are pending in the present application. No new matter is introduced. Applicants request reconsideration of the present application in light of the foregoing amendment and the following remarks.

Provisional Double-Patenting Rejection

The Examiner has entered a provisional double-patenting rejection over co-pending Application No. 10/582,994. Since this is provisional rejection, no formal steps are taken at this time.

Claim Rejections Under 35 U.S.C. § 112

The Examiner has objected to the term “predetermined” in claim 4, asserting that the Examiner construes the claim to read as a step of printing a dielectric paste on the ceramic green sheet in a pattern. Claim 4 is amended to remove the word “predetermined” as the Examiner suggests to Expedite the Examination process. Applicants believe that this makes the claims broader. Applicants are not, by way of this Amendment, foregoing any coverage to a “predetermined pattern” since the word pattern would include both types that are and types that are not predetermined. The Examiner further objects to the term “complementary pattern” in claim 5. Claims 5 and 6 are amended to recite “a pattern complementary to the pattern of the electrode layer.” Accordingly amended claims 4-6 are in compliance with 35 U.S.C § 112.

Claim Rejections under 35 U.S.C. § 102(e) and 103(a)

The Examiner rejects claims 1-3 as being anticipated by U.S. Publication No. 2006/0199883, to Banba et al. (“Banba”), and claims 4-8 as being obvious over Banba in view of U.S. Publication No. 2006/0199883, to Nishide et al. (“Nishide”). Claims 9 and 10 are rejected over Banba in view Nishide and Japanese Publicaiton No. 09-124771, to Kobayashi. Banba is a U.S. application having a 102(e) priority date of July 23, 2004, which is the PCT filing date of that application. The present application has a priority date of November 27, 2003. Enclosed

herewith is a certified English translation of the priority document, showing that the claimed subject matter was fully supported by the specification as filed in 2003.

Accordingly, Applicants respectfully request that the Examiner withdraw the rejections pending against claims 1-10, which are all based on Banba as a sole or primary reference. Claims 1-10 are therefore allowable over the cited references.

All of the claims remaining in the application are now allowable. Favorable consideration and a Notice of Allowance are earnestly solicited.

The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

Respectfully submitted,
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Enclosure:

Certified Translation of Priority Document – Japanese Patent Application 2003-396990

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